

**DISTRICT OF COLUMBIA**  
**DOH Office of Adjudication and Hearings**  
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DISTRICT OF COLUMBIA  
DEPARTMENT OF HEALTH  
Petitioner,

v.

GREAT COASTAL EXPRESS, INC.  
Respondent

Case No.: I-00-10274

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER**

**I. Introduction**

By Notice of Infraction served on June 28, 2000, the Government charged Respondent Great Coastal Express, Inc. with violating 20 DCMR 900.1. Section 900.1 prohibits, with certain exceptions, motor vehicles from idling their engines for more than three minutes while parked, stopped or standing. The Notice of Infraction alleged that the violation occurred on June 26, 2000 at 68 N Street, S.E., and sought a \$500.00 fine.

On July 13, 2000, Respondent filed a timely plea of Deny, and a request for a hearing. On July 25, 2000, this administrative court issued an Order setting a hearing date of August 29, 2000. Neil Williams, an inspector from the Department of Health, representing the Government, appeared for the hearing on that date. No one appeared on behalf of Respondent nor had the Respondent filed a motion for continuance of the hearing. Pursuant to D.C. Code § 6-2713(b), the hearing proceeded in Respondent's absence.

Based upon the testimony at the hearing, my evaluation of the credibility of the witness and the entire record in this matter, I now make the following findings of facts and conclusions of law.

## **II. Findings of Fact**

1. Mr. Williams observed a truck parked outside 68 N Street, S.E. with its engine idling between 12:40 P.M. and 12:44 P.M. on June 26, 2000.
2. Respondent Great Coastal Express, Inc. owns the truck in question.

## **III. Conclusions of Law**

1. To prove a violation of 20 DCMR 900.1, the Government must establish that the engine of a motor vehicle was idling for more than three minutes while it was parked, stopped or standing.
2. The evidence establishes that Respondent violated 20 DCMR 900.1 on June 26, 2000.

Based on the foregoing findings of fact and conclusions of law, the fine sought by the Government is appropriate. Accordingly, I will impose a \$500.00 fine for the infraction. Therefore, it is hereby, this \_\_\_\_\_ day of \_\_\_\_\_, 2000:

**ORDERED**, that Respondent shall cause to be remitted a single payment totaling **FIVE HUNDRED DOLLARS (\$500.00)** in accordance with the attached instructions within twenty (20) calendar days of the date of mailing of this Order (fifteen (15) calendar days plus five (5) days for service by mail pursuant to D.C. Code § 6-2715). A

failure to comply with the attached payment instructions and to remit a payment within the time specified will authorize the imposition of additional sanctions, including the suspension of Respondent's license or permit pursuant to D.C. Code § 6-2713(f).

/s/      **8/31/00**

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John P. Dean  
Administrative Judge